



Town Council Agenda Report

SUBJECT: Resolution

CONTACT PERSON/NUMBER Bob Rawls 797-1030

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AND EXECUTING THE AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF DAVIE, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE 1993 BROWARD COUNTY "ADDITIONAL" LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE.

REPORT IN BRIEF:

In 1993 Broward County adopted a supplemental "Additional" Local Option Gasoline Tax ordinance that collects gasoline taxes and distributes funds between Broward County and eligible municipalities at a ratio of 59.99% County and 40.01% Municipal. The Municipal distribution is calculated on the basis of incorporated area population and is updated annually which is the subject of this annual amendment. The funding distribution formula reflects a population increase of 4,791 and an increased distribution percentage from 1.814120 to 1.881140. With regard to population, the agreement specifically utilized University of Florida data for all cities.

PREVIOUS ACTIONS:

R-99-163

CONCURRENCES:

N/A

FISCAL IMPACT:

Additional Comments:

Gas tax funds support roadway construction and maintenance operations within the Town.

RECOMMENDATION(S):

Motion to Approve Resolution

Attachment(s):

Resolution

2000 Amendment to Interlocal Agreement

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AND EXECUTING THE AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF DAVIE, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE 1993 BROWARD COUNTY "ADDITIONAL" LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE.

WHEREAS, on September 1, 1993, the Board of County Commissioners imposed an "additional" local option gas tax on motor fuel; and

WHEREAS, the distribution of these funds is adjusted annually to reflect population changes; and

WHEREAS, it is necessary that the Town of Davie approve the execution of the attached Amended Interlocal Agreement; and

WHEREAS, the Interlocal Agreement shall be effective September 1, 1993, to December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The appropriate Town officials are hereby authorized to execute the Amendment to Interlocal Agreement, attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2000.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2000

2000 AMENDMENT
to
INTERLOCAL AGREEMENT

Between

BROWARD COUNTY

and

TOWN OF DAVIE

Providing for

DIVISION AND DISTRIBUTION OF THE
PROCEEDS FROM THE BROWARD COUNTY
ADDITIONAL LOCAL OPTION GAS
TAX ON MOTOR FUEL ORDINANCE

2000 AMENDMENT
to
INTERLOCAL AGREEMENT

Between

BROWARD COUNTY

and

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Providing for

DIVISION AND DISTRIBUTION OF THE
PROCEEDS FROM THE BROWARD COUNTY
ADDITIONAL LOCAL OPTION GAS
TAX ON MOTOR FUEL ORDINANCE

THIS 2000 AMENDMENT TO INTERLOCAL AGREEMENT, made and entered into by and between: BROWARD COUNTY, a political subdivision of the state of Florida, hereinafter referred to as "COUNTY,"

AND

TOWN OF DAVIE, a municipal corporation, existing under the laws of the state of Florida, hereinafter referred to as "CITY."

W I T N E S S E T H:

IN CONSIDERATION of the mutual terms, conditions, promises, covenants and payments hereinafter set forth and pursuant to the authorization of paragraph (1)(b)(2) of Section 336.025, Florida Statutes, the COUNTY and CITY agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously amended, is hereby amended to read as follows:
2. Fifty-nine and ninety-nine hundredths percent (59.99%) of the total proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance shall be distributed to the COUNTY and the remaining forty and one one-hundredths percent (40.01%) of the total proceeds shall be divided

among and distributed to the eligible municipalities within the COUNTY as follows:

$$\frac{\text{Population of Individual Municipality}}{\text{Total Incorporated Area Population}} \times 40.01\% =$$

<u>Recipient</u>	<u>Share of Proceeds</u>
Coconut Creek	1.147446%
Cooper City	0.833446%
Coral Springs	3.241070%
Dania Beach	0.536098%
Davie	1.958990%
Deerfield Beach	1.739532%
Fort Lauderdale	4.321591%
Hallandale	0.913919%
Hillsboro Beach	0.050941%
Hollywood	3.703367%
Lauderdale- by- the- Sea	0.110179%
Lauderdale Lakes	0.808498%
Lauderhill	1.467770%
Lazy Lake	0.001015%
Lighthouse Point	0.308807%
Margate	1.471571%
Miramar	1.583432%
North Lauderdale	0.867475%
Oakland Park	0.819115%
Parkland	0.383478%
Pembroke Park	0.138782%
Pembroke Pines	3.483793%
Plantation	2.333359%
Pompano Beach	2.158402%
Sea Ranch Lakes	0.017870%
Southwest Ranches	0.239126%
Sunrise	2.274731%
Tamarac	1.520481%
Weston	1.233547%
Wilton Manors	<u>0.342168%</u>
Total Incorporated	40.01%

2. Paragraph 3 of the Interlocal Agreement, as previously amended, is hereby amended to read:

3. The population figures set out herein are based on the figures contained in the document referred to as the "Florida Estimates of Population," published on an annual basis by the Bureau of Economics and Business Research, Population Division, University of Florida. The population figures to be utilized in the formula described in Paragraph 2 of this Interlocal Agreement, for the division and distribution of the proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance, shall be adjusted annually based on the current "Florida Estimates of Population." Such annual adjustment shall be determined as of September 1 of each year during which this Interlocal Agreement is in effect.

For the purpose of this Agreement, the following population figures are hereby agreed upon:

<u>Recipient</u>	<u>Population</u>
Coconut Creek	39,554
Cooper City	28,730
Coral Springs	111,724
Dania Beach	18,480
Davie	67,529
Deerfield Beach	59,964
Fort Lauderdale	148,971
Hallandale	31,504
Hillsboro Beach	1,756
Hollywood	127,660
Lauderdale-by-the-Sea	3,798
Lauderdale Lakes	27,870
Lauderhill	50,596
Lazy Lake	35
Lighthouse Point	10,645
Margate	50,727
Miramar	54,583
North Lauderdale	29,903
Oakland Park	28,236
Parkland	13,219
Pembroke Park	4,784
Pembroke Pines	120,091
Plantation	80,434
Pompano Beach	74,403

Sea Ranch Lakes	616
Southwest Ranches	8,243
Sunrise	78,413
Tamarac	52,413
Weston	42,522
Wilton Manors	<u>11,795</u>
Incorporated area	1,379,198
Unincorporated Area	111,091
Total County	1,490,289

3. Section 7 of the Interlocal Agreement is hereby amended as follows:
 7. References herein to Section 336.025, Florida Statutes, are referenced to that section as created by Section 40 of Chapter 93-206, Laws of Florida, as amended from time to time.
4. This 2000 Amendment to Interlocal Agreement shall become effective on the date last executed by the parties hereto provided that those eligible municipalities representing a majority of the incorporated area population have executed this Interlocal Agreement prior to June 1, 2000.
5. In the event this 2000 Amendment to Interlocal Agreement or a portion of this 2000 Amendment to Interlocal Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless COUNTY or CITY elects to terminate this Agreement. The election to terminate this Agreement based upon this provision shall be made within seven (7) days after the finding by the court becomes final.
6. All provisions of the Interlocal Agreement as previously amended, not in conflict with this 2000 Amendment to Interlocal Agreement, shall remain in full force and effect.
7. This 2000 Amendment to Interlocal Agreement may be executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have made and executed this 2000 Amendment to the Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Chair or Vice Chair, authorized to execute same by Board action on the ____ day of _____, 20____, and CITY, signing by and through its Mayor-Commissioner, duly authorized to execute same.

COUNTY

ATTEST:

BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

County Administrator and Ex-Officio
Clerk of the Board of County
Commissioners of Broward County,
Florida

By _____
Chair

____ day of _____, 20____.

Approved as to form by
Office of County Attorney
Broward County, Florida
EDWARD A. DION, County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By _____
CAROL S. WOLFF
Assistant County Attorney

2000 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY
AND TOWN OF DAVIE PROVIDING FOR DIVISION AND DISTRIBUTION OF THE
PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX
ON MOTOR FUEL ORDINANCE

TOWN

WITNESSES:

TOWN OF DAVIE

By _____
Mayor/Councilmember

____ day of _____, 20____.

ATTEST:

By _____
Town Clerk

Town Administrator

____ day of _____, 20____.

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____
Town Attorney

CSW:cb
3/30/00
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